

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2010-\_\_\_\_-C**

IN RE:	)	
Petition of the Office of Regulatory Staff	)	
for Commission to Order a Rule To Show	)	PETITION OF THE OFFICE OF
Cause as to Why the Certificates of	)	REGULATORY STAFF FOR A
Public Convenience and Necessity for	)	RULE TO SHOW CAUSE
Certain Providers of Telecommunications	)	
Services Should Not Be Revoked	)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission that:

1. The Public Service Commission of South Carolina (“the Commission”) is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2009).
2. The Office of Regulatory Staff (“ORS”) is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10, et seq. (Supp. 2009).
3. The Telecommunications Companies (“Companies”) listed in Exhibits A and B are certificated “telephone utilities” as defined in S.C. Code Ann. §58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.

4. The Companies listed in Exhibits A and B are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (Supp. 2009). Further, they have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibits A and B.

5. The Telecommunications Companies listed in Exhibits A and B, upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. § 58-9-280(B)(1) (Supp. 2009).

6. Pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540; 58-4-60; and 58-9-370 (Supp. 2009), the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the review committee, and ORS to be assessed. ORS may require reports and special reports concerning any matter about which the ORS is authorized to inquire or keep itself informed or which it is required to enforce.

7. The Companies listed in Exhibit A have failed to submit the requisite gross receipts filings. ORS has made attempts to contact these companies to obtain the gross receipts forms.

8. ORS has the responsibility to ensure that telephone utilities are filing annual reports and certain special reports. "Subject to the approval of the Commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or

which it is required to enforce.” S.C. Code Ann. § 58-9-370(A) (Supp. 2009). As well, Commission regulations provide:

[t]he telephone utility shall file the following documents and information:

1. Annual Report. Each telephone utility operating in the State shall file an annual report with the commission and provide a copy to the ORS, giving such information as the commission may direct.”

26 S.C. Code Regs 103-612.1.

9. The Telecommunications Companies listed in Exhibit B have failed to file annual reports for the year ending 2009.


10. The information for the business entities listed in Exhibits A and B accurately reflects the information on file with the South Carolina Secretary of State. See Exhibit C, Affidavit of Dawn Hipp.

11. “Each telephone utility shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees.” S.C. Code Ann. § 58-9-390 (Supp. 2009).

12. Pursuant to S.C. Code Ann. §58-9-1120 (Supp. 2009), “the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities.”

**WHEREFORE**, the ORS staff prays that the Honorable Commission:

1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Exhibits A and B.
2. For the persons and business entities listed in Exhibits A and B, pursuant to 26 S.C. Code Regs. 103-830, cause a copy of this petition to be served upon such named respondents or other proper person or entity.
3. Require the parties to submit an Answer to this Petition within the deadlines prescribed by the Commission's rules and regulations.
4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding the Certificate pursuant to S.C. Code Ann. §58-9-820 (Supp. 2009).
5. Pursuant to 26 S.C. Code Regs. 104-846.C (Supp. 2009), take judicial notice of the Commission's records in that the required annual reports have not been filed for the companies listed in Exhibit B.
6. Find that the Companies listed in Exhibits A and B have not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.
7. Enter a final order canceling the Certificates held by the Companies listed in Exhibits A and B.
8. Take other appropriate action which the Commission may deem necessary.



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Jeffrey M. Nelson, Esquire  
Shealy Boland Reibold, Esquire  
**Office of Regulatory Staff**  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201  
Telephone: (803) 737-0800  
Fax: (803) 737-0895

September 1, 2010  
Columbia, South Carolina

## Exhibit A

Docket No. \_\_\_\_\_

## Rule to Show Cause Telecommunications Carriers Non-Compliant with Gross Receipts Filing 2009

September 1, 2010

No.	Name	DBA	Address	City	State	Zip	Date Certified	Docket Number	Order Number	Secretary of State Standing
1	Baker Material Handling Corp		2450 W 5th North St	Summerville	SC	29484	4/14/1989	1985-150-C	1989-401	Good Standing
2	BPS Communications		Rt. 1, Box 211	Cheraw	SC	29520	3/13/1996	1985-150-C	1996-184	Not registered
3	Com-Tech Resources	Com-Tech Systems	3709 Westway Street, Suite A	Tyler	TX	75703	7/25/2000	1985-150-C	2000-603	Dissolved in 2008
4	Diamond Ventures, Inc.		PO Box 311	Laurens	SC	29360	11/27/2000	1985-150-C	2000-947	Good Standing
5	Fairmont I Shopping Plaza		498 Albemarle Rd #410	Charleston	SC	29407	5/14/1985	1985-150-C	1985-404	Not registered
6	Garvin Oil Company, Inc.		PO Box 1249	Wagener	SC	29164-1249	1/10/1996	1985-150-C	1996-29	Good Standing
7	General Growth Properties, Inc.		110 North Wacker Dr. RL-21	Chicago	IL	60606	9/22/1993	1985-150-C	1993-885	Good Standing
8	Hippodrome Corporation		3061 Sheridan St.	Las Vegas	NV	89102	8/30/2005	1985-150-C	2005-457	Forfeiture in 2009
9	JLR Communications, Inc.		7715 Crittenden St #355	Philadelphia	PA	19118	3/13/2002	1985-150-C	2002-185	Forfeiture in 2006
10	Mr. K's Piggly Wiggly		201 N. Cedar St.	Summerville	SC	29483	9/16/1985	1985-150-C	1985-786	Not registered
11	Netlojix Telecom, Inc.		7001 Blvd. 26, #323	N. Richland Hills	TX	76180	6/5/2000	1999-485-C	2000-463	Reinstatement
12	OneTone Telecom, Inc.		100 Century Plaza, Ste 9-I	Seneca	SC	29672	7/8/1999	1999-132-C	1999-485	Good Standing
13	Paragon Communications Services, LLC		4485 Tench Rd Ste 420	Suwanee	GA	30024	12/12/2003	1985-150-C	2003-723	Dissolved in 2007
14	Pulse Telecom, LLC		1451 W Cypress Creek Rd Ste 300	Ft Lauderdale	FL	33309	2/17/2009	2008-399-C	2009-98	Good Standing
15	Quarter Payphones		PO Box 451	Tucker	GA	30085-0451	8/9/2001	1985-150-C	2001-723	Forfeiture in 1994
16	Reef of Myrtle Beach, Inc.		2101 S. Ocean Blvd.	Myrtle Beach	SC	29577	6/9/1995	1985-150-C	1995-1201	Good Standing
17	Rohi Marketing, Inc.		810 A Main Street	N Wilkesboro	NC	28659	9/9/1987	1985-150-C	1987-993	Forfeiture in 1989
18	South of the Border		PO Box 1508 (Garners Ferry)	Columbia	SC	29202	2/26/1986	1985-150-C	1986-205	Good Standing
19	Star Lanes Bowling Center		200 Public Square Ste 700, BP Tower	Cleveland	OH	44114	1/9/1986	1985-150-C	1986-11	Forfeiture in 1992
20	STi Prepaid, LLC		1250 Broadway, 26th Fl	New York	NY	10001	7/31/2007	2007-75-C	2007-498	Good Standing
21	Suntel		PO Box 397	Camden	SC	29020	5/9/1990	1985-150-C	1990-509	Forfeiture in 1992
22	Telsouth Inc. of N.C.		P.O. Box 655	Lincolnton	NC	28093	4/8/1998	1985-150-C	1998-257	Forfeiture in 1999
23	Terry Kiefer c/o Red Robin Foods		1170 Woodruff Rd	Greenville	SC	29607	1/14/1996	1985-150-C	1996-785	Not registered
24	Universal Telecom, Inc.		PO Box 679	Lagrange	KY	40031-0679	12/16/1999	1999-354-C	1999-886	Good Standing

**Exhibit B**

Docket No. \_\_\_\_\_

**Rule to Show Cause Telecommunications Carriers Non-Compliant with Annual Report Filing 2009**

**September 1, 2010**

	<b>OrganizationName</b>	<b>Registered Agent</b>	<b>Secretary of State status</b>	<b>Foreign or Domestic</b>	<b>Docket #</b>	<b>Order #</b>	<b>Date Certificate Issued</b>
1	Andiamo Telecom, LLC	Business Filings International Inc 75 Beattie Place Greenville SC 29601	Good Standing	Foreign	2004-252-C (IXC)	2005-75	2/10/2005
2	Netlojix Telecom, Inc.	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Reinstatement	Foreign	1999-485-C (IXC)	2000-463	6/5/2000
3	Network US, Inc. DBA Affinity	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Forfeiture	Foreign	2001-302-C (IXC)	2002-218	3/26/2002
4	Norstar Telecommunications, LLC	TCS Corporate Services, Inc 2 Office Park Court, Ste 103 Columbia SC 29223	Good Standing	Foreign	2007-283-C (IXC)	2007-905	12/18/2007
5	OneTone Telecom, Inc.	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Domestic	1999-132-C CLEC & IXC	1999-485	7/8/1999
6	Uni-Tel Communications Group, Inc.	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2000-403-C (IXC)	2001-299	4/5/2001
7	Universal Telecom, Inc.	CT Corporation System 2 Office Park Court, Ste 103 Columbia SC 29223	Good Standing	Foreign	1999-354-C (CLEC)	1999-886	12/16/1999

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2010-\_\_\_-C**

August 26, 2010

IN RE: Petition of the Office of Regulatory )	
Staff for Commission to Order a )	
Rule to Show Cause as to Why The )	
Certificates of Public Convenience )	AFFIDAVIT OF
and Necessity for Certain Providers )	DAWN M. HIPPI
of Telecommunications Services )	
Should Not be Revoked )	

The Affiant, after having been first duly sworn, deposes and states as follows:

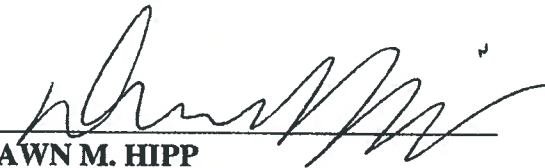
- 1) My name is Dawn Hipp and I am employed by the Office of Regulatory Staff ("ORS") as the Director of Telecommunications, Transportation, Water and Wastewater.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) It is the regular business practice of ORS to maintain certain business records required to be filed by telecommunication carriers that are subject to the jurisdiction of the PSC.
- 4) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 5) On August 26, 2010, I examined the business records on file with ORS.
- 6) As a result of that examination, I attest that the Annual Report and/or Gross Receipts Form have not been filed with ORS by the following telecommunications carriers as of August 26, 2010: (Exhibits A and B)



**EXHIBIT C**

- 7) I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Exhibits A and B of this petition. I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibits A and B are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.



**DAWN M. HIPPI**

**Director**

**Office of Regulatory Staff**

1401 Main Street, Suite 900

Columbia, South Carolina 29201

Sworn and subscribed before me  
this 21<sup>st</sup> day of August, 2010


Chrystal Morgan  
Notary Public for South Carolina  
My Commission Expires: 9/22/2014

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**

**DOCKET NO. 2010- \_\_\_\_\_ - C**

IN RE: Petition of the Office of Regulatory Staff for )  
Commission to Order a Rule To Show )  
Cause as to Why The Certificates of Public ) **CERTIFICATE OF SERVICE**  
Convenience and Necessity for Certain )  
Providers of Telecommunications Services )  
Should Not Be Revoked )

This is to certify that I, Chrystal L. Morgan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named on the attached service list by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown in the attached list:

  
\_\_\_\_\_  
Chrystal L. Morgan

September 1, 2010  
Columbia, South Carolina

Baker Material Handling Corp 2450 W 5th North St Summerville, SC 29484	BPS Communications Rt. 1, Box 211 Cheraw, SC 29520	Com-Tech Resources Com-Tech Systems 3709 Westway Street, Suite A Tyler, TX 75703
Diamond Ventures, Inc. PO Box 311 Laurens, SC 29360	Fairmont I Shopping Plaza 498 Albemarle Rd #410 Charleston, SC 29407	Garvin Oil Company, Inc. PO Box 1249 Wagener, SC 29164-1249
General Growth Properties, Inc. 110 North Wacker Dr. RL-21 Chicago, IL 60606	Hippodrome Corporation 3061 Sheridan St. Las Vegas, NV 89102	JLR Communications, Inc. 7715 Crittenden St #355 Philadelphia, PA 19118
Mr. K's Piggly Wiggly 201 N. Cedar St. Summerville, SC 29483	Netlojix Telecom, Inc. 7001 Blvd. 26, #323 N. Richland Hills, TX 76180	OneTone Telecom, Inc. 100 Century Plaza, Ste 9-I Seneca, SC 29672
Paragon Communications Services, LLC 4485 Tench Rd Ste 420 Suwanee, GA 30024	Pulse Telecom, LLC 1451 W Cypress Creek Rd Ste 300 Ft Lauderdale, FL 33309	Quarter Payphones PO Box 451 Tucker, GA 30085-0451
Reef of Myrtle Beach, Inc. 2101 S. Ocean Blvd. Myrtle Beach, SC 29577	Rohi Marketing, Inc. 810 A Main Street N Wilkesboro, NC 28659	South of the Border PO Box 1508 (Garners Ferry) Columbia, SC 29202
Star Lanes Bowling Center 200 Public Square Ste 700, BP Tower Cleveland, OH 44114	STi Prepaid, LLC 1250 Broadway, 26th Fl New York, NY 10001	Suntel PO Box 397 Camden, SC 29020
Telsouth Inc.of N.C. P.O. Box 655 Lincolnton, NC 28093	Terry Kiefer c/o Red Robin Foods 1170 Woodruff Rd Greenville, SC 29607	Universal Telecom, Inc. PO Box 679 Lagrange, KY 40031-0679

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